Exhibit 3

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In re

18-md-02865-LAK

CUSTOMS AND TAX ADMINISTRATION OF THE KINGDOM OF DENMARK (SKATTEFORVALTNINGEN) TAX REFUND SCHEME LITIGATION

Request for International Judicial Assistance pursuant to the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters

This document relates to: All Cases.

The United States District Court for the Southern District of New York presents its compliments to the appropriate judicial authority of the Kingdom of Denmark, and requests international judicial assistance to obtain evidence to be used in a civil proceeding before this court in the above captioned matter. This request is made pursuant to and in conformity with the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters.

This Court requests the assistance described herein as necessary in the interests of justice. The assistance requested is for the appropriate judicial authority of Denmark to compel the below-named individual to provide testimony.

This Court considers that the evidence sought is directly relevant to issues of fact and law that may influence the final determination of the existence, non-existence, and/or extent of any liability in this matter. This request is made with the understanding that it will in no way require any person to commit any offense, or to undergo a broader form of inquiry than they would if the litigation were conducted in the Kingdom of Denmark. It is expected, based on existing timetables, that the United States District Court for the Southern District of New York may schedule trial in or around 2021. Potential summary judgment motions would be due before

trial. In the United States, parties may move for summary judgment. A party moving for or opposing summary judgment must present evidence to support its arguments, as they do at trial. The following request is made in support of the pending proceedings in New York.

The particulars of this Hague Evidence Request are as follows:

**1. Sender** The Honorable Lewis A. Kaplan

District Judge

United States District Court for the Southern District of

New York

**2.** Central Authority of the Ministry of Justice

Requested State Procedural Law Division

Slotsholmsgade 10 1216 COPENHAGEN K

Denmark

**3. Person to whom the executed request is to be**Sharon L. McCarthy
Kostelanetz & Fink, LLP

**returned** 7 World Trade Center, 34th Floor

New York, NY 10007 Tel.: (212) 808-8100 Fax: (212) 808-8108

Email: smccarthy@kflaw.com

4. Specification of the day by which the requesting authority requires receipt of the response to the Letter of Request

**Date** April 30, 2021

**Reason for Urgency, if applicable** Discovery is underway in this matter and trial may be

scheduled to occur in 2021.

IN CONFORMITY WITH ARTICLE 3 OF THE CONVENTION, THE UNDERSIGNED APPLICANT HAS THE HONOR TO SUBMIT THE FOLLOWING REQUEST:

**5a. Requesting judicial** The Honorable Lewis A. Kaplan

authority (Article 3,a) District Judge

United States District Court for the Southern District of

New York

5b. To the competent authority of (Article 3,a)

The Kingdom of Denmark

5c. Names of the case and any

identifying number

In re Customs and Tax Administration of the Kingdom of Denmark (SKAT) Tax Refund Scheme Litigation, 18-md-

2865 (LAK)

#### 6. Names and addresses of the parties and their representatives

a. Plaintiff SKAT

Østbanegade 123 2200 København Ø

Denmark

**Representatives** William R. Maguire

Marc A. Weinstein Neil J. Oxford

Hughes Hubbard & Reed LLP

One Battery Park Plaza

New York, New York 10004-1482

United States of America

**b. Defendants** Please refer to the attached Appendix A

**Representatives** Please refer to the attached Appendix A

#### 7. Nature of the Proceedings

#### a. Background

In May and June 2018, Plaintiff SKAT filed 140 similar complaints in eleven different federal judicial districts. On October 3, 2018, the federal complaints were consolidated in this Multi-District Litigation ("MDL") and assigned to the Honorable Lewis A. Kaplan. Since that time, SKAT filed several additional complaints which are consolidated into the MDL. SKAT filed amended complaints on April 20, 2020, against the particular Defendants seeking the evidence described below. Defendants answered the amended complaints on June 29, 2020.

Defendants are pension, profit sharing, or stock bonus plans qualified under section 401(a) of the United States Internal Revenue Code, exempt from taxation under section 501(a) of the United States Internal Revenue Code, and residents of the United States of America for purposes of U.S. taxation. Defendants applied for and received dividend tax reclaims from Plaintiff SKAT related to Defendants' ownership of shares in Danish companies listed on the OMX Copenhagen 20 Index, the 20 most-traded stocks in Denmark. Danish companies are required to withhold 27% tax on dividends they pay to shareholders. Under certain double taxation treaties between Denmark and other countries, including the United States, this tax is reimbursable to certain non-Danish shareholders, including pension, profit sharing, and stock bonus plans qualified under section 401(a) of the Internal Revenue Code. Defendants, acting through their agents and representatives, applied to SKAT claiming repayments of tax withheld on dividends that they earned on shares of Danish companies that they held. SKAT claims that Defendants did not own the shares forming the basis of those tax reclaim applications. SKAT alleges that it paid baseless withholding tax refund claims.

The witness whose testimony is sought pursuant to this Letter of Request is a former SKAT employee named Leif Normann Jeppesen.

#### **b. Summary of Complaints**

The allegations in Plaintiff SKAT's complaints in the consolidated actions are substantially similar. SKAT brought complaints against three classes of defendants: "Plan Defendants," the pension plans that SKAT claims received baseless dividend withholding tax refunds; "Authorized Representative Defendants," individuals who signed powers of attorney authorizing Payment Agents to submit dividend withholding tax refund claims to SKAT; and "Incorporator Defendants," defendants who incorporated business entities associated with the

Plan Defendants that submitted dividend withholding tax refund claims to SKAT. The conduct at the heart of Plaintiff SKAT's complaints is alleged to have occurred between 2012 and 2015. Plaintiff asserts claims for fraud, aiding and abetting fraud, payment by mistake, unjust enrichment, negligent misrepresentation, and related claims.

#### c. Summary of Defenses

Defendants deny all allegations of wrongdoing made by SKAT. Defendants assert numerous defenses to SKAT's allegations. Defendants maintain that they acted at all times reasonably and with due care, reasonably relied upon the actions and statements of others, and did not directly or indirectly cause, induce, aid, or abet any acts constituting the claims asserted by SKAT. Defendants assert that they did not engage in any unlawful conduct and are not liable for any unlawful acts that may have been committed by others. Furthermore, Defendants contend that if SKAT suffered any loss, damage, or injury, such alleged loss, damage, or injury was caused in whole or in part by SKAT's own negligence, SKAT's assumption of risk, and/or other culpable parties and/or third parties to this action, other than Defendants, for whose acts or omissions or breaches of legal duty Defendants are not liable. Finally, Defendants allege that SKAT's claims are barred by the applicable statutes of limitations.

#### d. Other Necessary Information or Documents

| 8a. Evidence to be obtained or other judicial act to be performed (Article 3,d) | Defendants seek testimony from Leif Normann Jeppesen  |
|---|---|
| 8b. Purpose of the evidence or other judicial act sought                        | The witness's testimony is relevant to establishing one or more of Defendants' defenses in this action. |
| 9. Identity and address of any person to be examined (Article 3,e)              | Leif Normann Jeppesen was the director of SKAT's legal department from mid-2006 through at least 2007.  |

### Leif Normann Jeppesen may be found at Hundested

### 10. Questions to be put to the person to be examined or statement of the subject-matter about which they are to be examined (Article 3,f)

#### a. Definitions

- i. "SKAT" – Skatteforvaltningen and any officers, directors, managers, employees, or agents thereof.
- "Office" the operating division within SKAT otherwise known as the ii. legal department.
- iii. "Ministry" – the Danish Ministry of Taxation.
- "Tenure" the period of time during which Leif Normann Jeppesen iv. served the director of SKAT's legal department.
- "Minister" Minister of Taxation for Denmark. v.
- vi. "Risk" – any likelihood that SKAT issued an Erroneous Refund of dividend taxes.
- vii. "Erroneous Refund" – a refund of dividend tax issued to an applicant not eligible to receive such refund.
- viii. "Control" – any policy, procedure, directive, or other rule that would have increased the information reported to SKAT, provided SKAT with greater ability to assess the validity of any individual dividend tax reclaim application, or decreased Risk.
- "2007 Early Warning" a memorandum or other document prepared by ix. Leif Normann Jeppesen in 2007 addressing Risk, including issues related to borrowed shares and beneficial ownership under Danish law.

x. "Reclaim Agent" – any of Goal Group, Syntax GIS, or Acupay, which firms submitted dividend reclaim applications on behalf of shareholders.

#### **b.** Subject of Testimony

The subject of Leif Normann Jeppesen's testimony will be:

- i. The identities and responsibilities of all Office during his Tenure with responsibility for any component of dividend tax administration, or oversight of such dividend tax administration;
- ii. The organizational structure within SKAT, generally, and the Office, specifically, including the management chain of command, and its relationship to the oversight of SKAT's dividend tax administration;
- iii. His knowledge that SKAT lacked the ability to independently verify the ownership of stocks associated with reclaim applications;
- iv. His knowledge that SKAT lacked the ability to independently verify whether dividend taxes had in fact been withheld with respect to such stocks identified in a reclaim application;
- v. His knowledge that SKAT lacked the ability to determine whether the shares of stock related to any reclaim application were borrowed shares;
- vi. His knowledge of the schedule and process for reporting of dividend payment information to SKAT;
- vii. His knowledge that SKAT was issuing Erroneous Refunds;
- viii. His knowledge regarding the volume of dividend tax refunds issued by SKAT;

- ix. The facts known to SKAT in connection with a 2006 dividend reclaim application submitted by Bankers Trust Opera Trading and related to shares in TDC;
- x. The specific factual concerns raised by any SKAT employee and related to
   Bankers Trust Opera Trading's dividend reclaim application;
- xi. His knowledge regarding the volume of Erroneous Refunds issued by SKAT;
- xii. His knowledge of all other conditions contributing to Risk;
- xiii. All communications with SKAT or other Ministry of Taxation officials concerning Risk, including but not limited to any memorandum prepared by Lisbeth Rømer in connection with the Bankers Opera Trust Trading reclaim application;
- xiv. His response to any communication, whether written or oral, identifying, discussing, or warning of any Risk;
- xv. All Controls proposed during his Tenure;
- xvi. The extent and impact of resource constraints within SKAT and their effect on dividend tax administration;
- xvii. His understanding of the prevailing political trends in Denmark and the challenges they presented to implementing Control measures;
- xviii. His understanding of the specific legal risks presented by the use of borrowed shares in connection with dividend reclaim applications;
- xix. The factual and legal basis for the 2007 Early Warning memorandum;

His understanding of any other risks to which SKAT was open in XX.

connection with dividend tax reclaim applications; and

Authentication of documents if necessary. xxi.

#### 11. Documents or other property to be inspected (Article 3,g)

Any and all contemporaneous notes, memoranda, testimony, or correspondence in the possession, custody or control of Leif Norman Jeppesen related to the Subject of Testimony.

- 12. Any requirement that the evidence be given on oath or affirmation and any special form to be used (Article 3,h)
- 13. Special methods or procedure to be followed (Articles 3,i and 9)

The examinations shall be taken under the Federal Rules of Civil Procedure of the United States of America, except to the extent such procedure is incompatible with the law of the Kingdom of Denmark. The testimony shall be given under oath.

The United States District Court for the Southern District of New York respectfully requests that:

- The Parties' United States and Danish lawyers be permitted to attend the oral testimony and ask supplementary questions of the witness;
- b. The Parties' United States and Danish lawyers be permitted to examine and cross-examine the witnesses directly;
- c. The Parties' United States and Danish lawyers be allowed to participate in the oral testimony of the requested witnesses by video-conference per the enclosed 'Optional Form For Video-Link Evidence,' as practicable and in discussion with the Ministry of Justice regarding technical logistics and that the videoconference be recorded and a copy provided to the Parties;

Oral testimony of the witnesses be videotaped and recorded verbatim, and that a professional videographer and a professional stenographer be permitted to attend the oral testimony in order to record the testimony; the costs of the court reporter or of the videographer being at the charge of defendants.

14. Request for notification of the time and place for the execution of the Request and identity and address of any person to be notified (Article 7) It is requested that testimony be taken at such place, date or time as ordered by the Ministry of Justice and/or as otherwise scheduled by the representatives of the Defendants and/or as otherwise agreed to by the witnesses and the respective representatives of the Parties.

Notice thereof should be made to Defendants' Danish designee:

Kasper Bech Pilgaard TVC Law Firm Nimbusparken 24, 2d fl., 2000 Frederiksberg, Copenhagen, Denmark

15. Request for attendance or participation of judicial personnel of the requesting authority at the execution of the **Letter of Request (Article 8)** 

None.

16. Specification of privilege or duty to refuse to give evidence under the law of the State of origin (Article 11,b)

Under the laws of the United States, a party has a privilege to refuse to disclose the contents of a confidential communication between that party and an attorney that was made for the purpose of obtaining legal advice. Waiver of the privilege over some communications, in some circumstances, can be deemed a waiver of privilege over other communications concerning the same subject matter.

Parties also enjoy limited privileges not relevant here, such as communications between physician and patient, psychotherapist and patient, husband and wife, or clergy and penitent.

United States law also recognizes a testimonial privilege against criminal self-incrimination. This privilege does not apply to production of documents.

Outside the strict area of privilege, certain limited immunities are available that may place restrictions on the giving of evidence, such as the limited protection of documents created by attorneys in anticipation of litigation.

17. The fees and costs incurred which are reimbursable under the second paragraph of Article 14 or under Article 26 of the Convention will be borne by

Defendants

Date of Request:

Signature and Seal of the Requesting Authority

## LETTER OF REQUEST – OPTIONAL FORM FOR VIDEO-LINK EVIDENCE

## COMMISSION ROGATOIRE – FORMULAIRE FACULTATIF POUR DES PREUVES PAR LIAISON VIDEO

## Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters

Convention de La Haye du 18 mars 1970 sur l'obtention des preuves à l'étranger en matière civile ou commerciale

#### Technical Parameters of the video-link device(s)

Paramètres techniques des appareils de liaison vidéo

| 2. Type of Please note that a multipoint control unit is   | 1. | Device brand<br>and model<br>Marque et<br>modèle de<br>l'appareil | Insert name of video-link device brand to be used by the Requesting State         |
|--|----|---|---|
| control unit Type d'unité de commande  recommended. Veuillez noter qu'une unité de commande multipoint est recommandée.  Endpoint Point de terminaison  Multipoint | 2. | control unit<br>Type d'unité de                                   | recommended.  Veuillez noter qu'une unité de commande multipoint est recommandée. |

| 3. | Type of network<br>Type de réseau                   | Please note that an IP network is the recommended network.  Veuillez noter qu'un réseau IP est le réseau recommand |                    |  |
|----|---|--|--------------------|--|
|    |   | IP (SIP or/ou H.323)   | ISDN / RNIS        |  |
|    |   | IP address:  | ISDN number:       |  |
|    |   | Adresse IP :   | Numéro RNIS :      |  |
|    | Examples of IP and ISDN parameter                   | Insert IP address  | Insert ISDN number |  |
|    | sequences are<br>provided on<br>page 3.             | Hostname:<br>Nom de l'hôte :   |                    |  |
|    | Des exemples de<br>séquences de<br>paramètres IP et | Insert hostname<br>(including fully qualified<br>domain name)  |                    |  |
|    | RNIS sont donnés                                    |  | Extension number:  |  |
|    | en page 3   | Extension number:  | Numéro de poste :  |  |
|    |   | Numéro de poste :  | Insert extension   |  |
|    |   | Insert extension (if applicable)   | (if applicable)    |  |
|    |   | Additional comments:  Autres remarques:  |                    |  |
|    |   |  |                    |  |
|    |   | Insert any relevant comme  | ents or notes here |  |
| 4. | Virtual Room<br>(via Multipoint<br>Control Unit)    | Please fill out only if a virtua<br>Ne compléter que si une sall<br>utilisée.                                      |                    |  |
|    | Salle virtuelle<br>(via une unité                   | Address / Hostname   |                    |  |
|    | de commande   | Address / Hostname  Adresse / Nom de l'hôte  |                    |  |
|    | multipoint)   | Insert address and / or host (including fully qualified dor  |                    |  |
|    |   | PIN  |                    |  |
|    |   | Code d'accès   |                    |  |
|    |   | Insert access PIN for virtual  | room               |  |
| 5. | Codec<br>Codec                                      | Insert details of coder-deco   | der used.          |  |

| 6.          |   |   |          | e of encryption used<br>the bit used ( <i>e.g.</i> 128 bits, 192 bits |
|-------------|---|---|----------|---|
|             |   | Will the 'automatic' or 'best effort' setting be used?<br>Le paramètre « automatique » ou « au mieux » sera-t-il<br>utilisé ? |          |   |
|             |   | □ Y<br>0  | es<br>ui | □ No<br>Non   |
| Dotoil      | ls of tookning contact                                    | norcon(s)   |          |   |
| Coora       | ls of technical contact  <br>lonnées des interlocuteu     | rs techniques   |          |   |
| specif      | fically for technical matt                                | ters (if applicab   | le).     | ntioned in the Letter of Request                                      |
|             | des interlocuteurs techni<br>pire, en particulier pour le |   |          | nt mentionnés dans la Commission<br>(le cas échéant)                  |
| <b>7</b> a. | Contact Person 1  |   | 7b.      | Contact Person 2  |
| /a.         | Interlocuteur 1   |   | 76.      | Interlocuteur 2   |
|             | Name<br>Nom   |   |          | Name<br>Nom   |
|             | Position  |   |          | Position  |
|             | Fonction  |   |          | Fonction  |
|             | Email   |   |          | Email   |
|             | Phone   |   |          | Phone<br>Tálánhana  |
|             | Téléphone   |   |          | Téléphone   |
|             | Languages<br>Langues                                      |   |          | Languages<br>Langues  |
|             | Langues   |   |          | Lungues   |
|             |   |   |          |   |
|             |   |   |          |   |
|             |   |   |          |   |
|             |   |   |          |   |
|             |   |   |          |   |
|             |   |   |          |   |

Following the completion of the Multi-aspect initiative to improve cross-border videoconferencing ("Handshake" Project), the Council of the European Union provided the following example sequences to assist users with different types of network connections:<sup>1</sup>

À la suite de la conclusion du projet « Handshake » (Multi-aspect initiative to improve crossborder videoconferencing), le Conseil de l'Union européenne a donné les exemples de séquences suivants pour aider les utilisateurs en fonction des types de connexions réseau :

#### Examples of parameter sequences and delimiters for starting a videoconference Exemples de séquences de paramètres et de délimiteurs pour lancer une visioconférence

Depending on the brands of the devices involved – different parameter sequences may need to be used.

Dépendent de la marque des appareils – il sera peut-être nécessaire d'utiliser différentes séquences de paramètres.

#### Using IP:

IP:

Hostname / IP-address followed by extension number with delimiter ##: 111.22,33.4##5656

Hostname / IP-address followed by extension number with delimiter #: 111.22.33.4#5656

Nom de l'hôte/adresse IP suivi du numéro de poste avec le délimiteur ## : 111.22.33.4##5656

Nom de l'hôte/adresse IP suivi du numéro de poste avec le délimiteur # : 111.22.33.4#5656

#### **Using SIP:**

SIP:

Extension number followed by hostname / IP-address with delimiter @: 5656@videoconf.host.eu

5656@111.22.33.4

Numéro de poste suivi du nom de l'hôte/de l'adresse IP avec le délimiteur @ : 5656@videoconf.host.eu

5656@111.22.33.4

#### ISDN sequences:

Séquences RNIS :

ISDN number and extension number together: + 43 1 0000895656 ISDN number and extension number separated by a delimiter # : + 43 1 000089#5656

Numéro RNIS et numéro de poste ensemble : + 43 1 0000895656 Numéro RNIS et numéro de poste séparés par un délimiteur # : + 43 1 000089#5656

<sup>&</sup>quot;Handshake" Project, "D4: Form for requesting / confirming a cross-border videoconference", p. 20.

### APPENDIX A

| Defendants                           | Counsel                                      | Associated Case(s) |
|--------------------------------------|--|--------------------|
| John van Merkensteijn, III           | Sharon L. McCarthy                           | 19-cv-01866        |
|                                      | Caroline Ciraolo                             | 19-cv-01865        |
|                                      | Nicholas S. Bahnsen                          | 19-cv-01906        |
|                                      | Kostelanetz & Fink LLP                       | 19-cv-01894        |
|                                      | 7 World Trade Center, 34 <sup>th</sup> Floor | 19-cv-01911        |
|                                      | New York, New York 10007                     | 19-cv-01871        |
|                                      | Tel: (212) 808-8100                          | 19-cv-01930        |
|                                      | Fax: (212) 808-8108                          | 19-cv-01873        |
|                                      | cciraolo@kflaw.com                           | 19-cv-01794        |
|                                      | smccarthy@kflaw.com                          | 19-cv-01798        |
|                                      | nbahnsen@kflaw.com                           | 19-cv-01788        |
|                                      |  | 19-cv-01918        |
|                                      |  | 19-cv-01928        |
|                                      |  | 19-cv-01931        |
|                                      |  | 19-cv-01800        |
|                                      |  | 19-cv-01803        |
|                                      |  | 19-cv-01809        |
|                                      |  | 19-cv-01818        |
|                                      |  | 19-cv-01801        |
|                                      |  | 19-cv-01810        |
|                                      |  | 19-cv-01813        |
| Elizabeth van Merkensteijn           |  | 19-cv-01893        |
| Azalea Pension Plan                  |  | 19-cv-01893        |
| Basalt Ventures LLC Roth 401(K) Plan |  | 19-cv-01866        |
| Bernina Pension Plan                 |  | 19-cv-01865        |
| Bernina Pension Plan Trust           |  | 19-cv-10713        |
| Michelle Investments<br>Pension Plan |  | 19-cv-01906        |
| Omineca Pension Plan                 |  | 19-cv-01894        |
| Omineca Trust                        |  | 19-cv-01794        |
|                                      |  | 19-cv-01798        |
|                                      |  | 19-cv-01788        |
|                                      |  | 19-cv-01918        |
|                                      |  | 19-cv-01928        |
|                                      |  | 19-cv-01931        |

|                                 | <del>,</del>                   |             |
|---------------------------------|--------------------------------|-------------|
|                                 |                                | 19-cv-01800 |
|                                 |                                | 19-cv-01803 |
|                                 |                                | 19-cv-01809 |
|                                 |                                | 19-cv-01818 |
|                                 |                                | 19-cv-01801 |
|                                 |                                | 19-cv-01810 |
|                                 |                                | 19-cv-01813 |
|                                 |                                | 19-60-01013 |
| Remece Investments LLC          |                                | 19-cv-01911 |
| Pension Plan                    |                                |             |
| Starfish Capital                |                                | 19-cv-01871 |
| _                               |                                | 17-64-018/1 |
| Management LLC Roth 401(K) Plan |                                |             |
|                                 |                                |             |
| Tarvos Pension Plan             |                                | 19-cv-01930 |
|                                 |                                | 10 01072    |
| Voojo Productions LLC           |                                | 19-cv-01873 |
| Roth 401(K) Plan                |                                |             |
|                                 |                                |             |
| Xiphias LLC Pension Plan        |                                | 19-cv-01924 |
|                                 |                                |             |
| Richard Markowitz               | Alan E. Schoenfield            | 19-cv-01867 |
|                                 | Wilmer Cutler Pickering Hale   | 19-cv-01895 |
|                                 | and Dorr LLP                   | 19-cv-01869 |
|                                 | 7 World Trade Center           | 19-cv-01868 |
|                                 | 250 Greenwich Street           | 19-cv-01898 |
|                                 | New York, NY 10007             | 19-cv-10713 |
|                                 | Telephone: (212) 230-8800      | 19-cv-01896 |
|                                 | alan.schoenfeld@wilmerhale.com | 19-cv-01783 |
|                                 | atan.schoemeiu(w,wiimemate.com |             |
|                                 |                                | 19-cv-01922 |
|                                 |                                | 19-cv-01926 |
|                                 |                                | 19-cv-01929 |
|                                 |                                | 19-cv-01812 |
|                                 |                                | 19-cv-01870 |
|                                 |                                | 19-cv-01792 |
|                                 |                                | 19-cv-01806 |
|                                 |                                | 19-cv-01808 |
|                                 |                                | 19-cv-01815 |
|                                 |                                |             |
| Jocelyn Markowitz               |                                | 19-cv-01904 |
|                                 |                                | 10 01067    |
| Avanix Management LLC           |                                | 19-cv-01867 |
| Roth 401(K) Plan                |                                |             |
| Patavia Canital Dansian Plan    |                                | 10 ov 01805 |
| Batavia Capital Pension Plan    |                                | 19-cv-01895 |

| Calypso Investments<br>Pension Plan                           |   | 19-cv-01904  |
|---|---|--|
| Cavus Systems LLC Roth 401(K) Plan                            |   | 19-cv-01869  |
| Hadron Industries LLC Roth 401(K) Plan                        |   | 19-cv-01868  |
| RJM Capital Pension Plan                                      |   | 19-cv-01898  |
| RJM Capital Pension Plan<br>Trust                             |   | 19-ev-10713  |
| Routt Capital Pension Plan                                    |   | 19-cv-01896  |
| Routt Capital Trust   |   | 19-cv-01783<br>19-cv-01922<br>19-cv-01926<br>19-cv-01929<br>19-cv-01812<br>19-cv-01870<br>19-cv-01792<br>19-cv-01806<br>19-cv-01808<br>19-cv-01815 |
| Rob Klugman   | Mark D. Allison Caplin & Drysdale, Chartered 600 Lexington Avenue 21st Floor New York, NY 10022 Tel: (212) 379-6000 | 18-cv-07828<br>18-cv-07827<br>18-cv-07824<br>18-cv-07829<br>18-cv-04434  |
| RAK Investment Trust  Aerovane Logistics LLC Roth 401(K) Plan | mallison@capdale.com<br>zziering@capdale.com  | 18-cv-07828  |
| Edgepoint Capital LLC Roth 401(K) Plan                        |   | 18-cv-07827  |
| Headsail Manufacturing<br>LLC Roth 401(K) Plan                |   | 18-cv-07824  |
| The Random Holdings<br>401(K) Plan                            |   | 18-cv-07829  |

| The Stor Capital Consulting |                                  | 18-cv-04434                    |
|-----------------------------|----------------------------------|--------------------------------|
| LLC 401(K) Plan             |                                  | 10 07 07131                    |
| Joseph Herman               | Michelle A. Rice                 | 1:19-cv-01785                  |
|                             | Kaplan Rice LLP                  | 1:19-cv-01781                  |
|                             | 142 West 57 <sup>th</sup> Street | 1:19-cv-01791                  |
|                             | Suite 4A                         | 1:19-cv-01794                  |
| David Zelman                | New York N.Y. 10019              | 1:19-cv-01918                  |
|                             | (212) 333-0227                   | 1:19-cv-01783                  |
|                             | mrice@kaplanrice.com             | 1:19-cv-01798                  |
|                             |                                  | 1:19-cv-01788                  |
|                             |                                  |                                |
| Edwin Miller                |                                  | 1:19-cv-01926                  |
|                             |                                  | 1:19-cv-01922                  |
|                             |                                  | 1:19-cv-01928                  |
|                             |                                  | 1:19-cv-01929                  |
|                             |                                  | 1:19-cv-01931                  |
| Ronald Altbach              |                                  | 1:19-cv-01809                  |
| Rollaid Altoach             |                                  | 1:19-cv-01809<br>1:19-cv-01800 |
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| Perry Lerner                |                                  | 1:19-cv-01806                  |
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| Robin Jones                 |                                  | 1:19-cv-01801                  |
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| Bareroot Capital            |                                  | 1:19-cv-01783                  |
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| Albedo Management LLC       |                                  | 1.19-64-01/63                  |
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| Dicot Technologies LLC      |                                  | 1:19-cv-01788                  |
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| First Ascent Worldwide<br>LLC Roth 401(K) Plan          | 1:19-cv-01792 |
| Battu Holdings LLC Roth<br>401(K) Plan                  | 1:19-cv-01794 |
| Cantata Industries LLC Roth 401(K) Plan                 | 1:19-cv-01798 |
| Crucible Ventures LLC Roth 401(K) Plan                  | 1:19-cv-01800 |
| Monomer Industries LLC<br>Roth 401(K) Plan              | 1:19-cv-01801 |
| Limelight Global<br>Productions LLC Roth<br>401(K) Plan | 1:19-cv-01803 |
| Loggerhead Services LLC<br>Roth 401(K) Plan             | 1:19-cv-01806 |
| PAB Facilities Global LLC<br>Roth 401(K) Plan           | 1:19-cv-01808 |
| Plumrose Industries LLC<br>Roth 401(K) Plan             | 1:19-cv-01809 |
| Pinax Holdings LLC Roth<br>401(K) Plan                  | 1:19-cv-01810 |
| Roadcraft Technologies<br>LLC Roth 401(K) Plan          | 1:19-cv-01812 |
| Sternway Logistics LLC<br>Roth 401(K) Plan              | 1:19-cv-01813 |
| Trailing Edge Productions<br>LLC Roth 401(K) Plan       | 1:19-cv-01815 |
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| Eclouge Industry LLC Roth 401(K) Plan                     |   | 1:19-cv-01870                  |
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| Vanderlee Technologies<br>Pension Plan                    |   | 1:19-cv-01918                  |
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| Green Scale Management<br>LLC Roth 401(K) Plan            |   | 1:19-cv-01926                  |
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| Keystone Technologies LLC<br>Roth 401(K) Plan             |   | 1:19-cv-01929                  |
| Tumba Systems LLC Roth 401(K) Plan                        |   | 1:19-cv-01931                  |
| Sander Gerber   | Stephen D. Andrews  | 18-cv-4899                     |
| Sander Gerber Pension Plan                                | Amy B. McKinlay Williams & Connolly LLP 725 Twelfth Street, N.W. Washington, DC 20005 (202) 434-5000 amckinlay@wc.com sandrews@wc.com | 18-cv-4899                     |
| Michael Ben-Jacob   | Thomas E. L. Dewey  | 1:18-cv-04434                  |
|   | Dewey Pegno & Kramarsky LLP 777 Third Avenue – 37th Floor   | 1:18-cv-07824<br>1:18-cv-07827 |
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|   | E-mail: tdewey@dpklaw.com   | 1:19-cv-01783                  |
|   |   | 1:19-cv-01785<br>1:19-cv-01788 |
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| A I turn to Current II C                                       | Labor C. Diagramatan            | 10 00041                       |
| Acer Investment Group LLC                                      | John C. Blessington             | 18-cv-09841                    |
|  | K&L GATES LLP                   | 18-cv-09797                    |
|  | State Street Financial Center   | 18-cv-09836                    |
|  | One Lincoln Street              | 18-cv-09837                    |
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|  | E: john.blessington@klgates.com | 18-cv-10100                    |
|  |                                 | 18-cv-05053                    |
|  |                                 |                                |
| American Investment Group<br>of New York, L.P. Pension<br>Plan |                                 | 18-cv-09841                    |
| DW Construction, Inc.<br>Retirement Plan                       |                                 | 18-cv-09797                    |
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| The state of the s |   | 10 00025    |
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| Moira Associates LLC 401K  |   | 18-cv-09839 |
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| Newsong Fellowship   |   | 18-cv-10100 |
| Church 401K Plan   |   |             |
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| Riverside Associates   |   | 18-cv-09840 |
| Defined Benefit Plan   |   |             |
|  |   |             |
| Robert Crema   |   | 18-cv-09841 |
|  |   |             |
| Stacey Kaminer   |   | 18-cv-09841 |
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| Alexander Jamie Mitchell III   |   | 18-cv-10100 |
| D  |   | 10 00040    |
| David Schulman   |   | 18-cv-09840 |
| T 0 1 1  |   | 10 00020    |
| Joan Schulman  |   | 18-cv-09838 |
| D W.   |   | 10 00707    |
| Darren Wittwer   |   | 18-cv-09797 |
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| Sheldon Goldstein  | Martin H. Kaplan<br>Kari Parks                | 18-cv-5053  |
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